REMARKS

In the Office Action, the Examiner rejected Claims 1-7, 9, 11-18, 20, and 21 under 35 U.S.C. §103 (a) as being unpatentable over Klein (U.S. Patent No. 5,434,908) in view of Suda et al. (U.S. Patent No. 6,279,000). Claims 8 and 10 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Klein (U.S. Patent No. 5,434,908) in view of Suda et al. (U.S. Patent No. 6,279,000) and further in view of Boulware et al. (U.S. Patent No. 5,757,899). Claim 19 was rejected under 35 U.S.C. §103 (a) as being unpatentable over Klein (U.S. Patent No. 5,434,908) in view of Suda et al. (U.S. Patent No. 6,279,000) and further in view of Pepper et al. (U.S. Patent No. 5,930,700). Applicants submit that there is no suggestion to combine the teachings of these references, and all of the pending claims are patentable for this reason alone. Even if the teachings of these numerous references could be combined, the pending claims are patentable for at least the following reasons.

Klein fails to disclose many of the features of the pending claims, and because of these deficiencies, all of the pending claims are patentable over the proposed combinations. Klein does not disclose generating a call processing control record that includes an indication of the user's selection of a particular announcement to be transmitted to a caller, as recited in Claims 1, 15, 16, and 21. Indeed, Klein does not enable a user to select a particular announcement to be transmitted to a caller. To the contrary, Klein discloses a system that automatically generates a message based upon information in a database without any selection of the message being made by the user. (Col. 3, line 58- col. 4, line 37). While the Examiner asserts that column 4, lines 2-13 discloses this feature, this portion of Klein says nothing about a user being able to select a

2

message that is to be sent to a caller. Accordingly, all of the pending claims are patentable over the proposed combinations for at least these reasons.

Klein also does not disclose: (i) receiving, at a switch, a call from a calling party; (ii) accessing a call processing control record after receiving the call; and (iii) transmitting call control information to the switch, the call control information including an indication of the announcement that is to be transmitted to the calling party, as recited in Claims 1, 15, 16, and 21. Klein discloses a system for generating and storing greetings, but it does not disclose how those greetings may be accessed or how they may be given to a calling party. While the Examiner asserts that column 2, lines 2-13 and column 4, lines 45-49 disclose these features, these portions of Klein merely state, in conclusory fashion, that a greeting may be given to a caller that is trying to reach the user. These sections do not provide any detail about how a greeting may be given to a caller and do not say anything about accessing a call processing control record after receiving a call at a switch or transmitting call control information to a switch. For these reasons as well, all of the pending claims are patentable over the proposed combinations.

In addition, Suda et al. fails to disclose the additional features that the Examiner concedes are absent from Klein. Accordingly, even if the teachings of Klein and Suda et al. could be combined (which Applicants dispute), the pending claims are also patentable over the proposed combinations for at least the following reasons.

The Examiner concedes that Klein does not disclose comparing schedule data with stored data to determine if the schedule data differs from the stored data, as recited in Claims 1, 15, 16, and 21. To overcome this deficiency, the Examiner asserts that Suda et al. discloses this feature and that this teaching could be combined with that of Klein.

3

Specifically, the portions of Suda et al. cited by the Examiner as disclosing the acts of comparing schedule data with stored data to determine if the schedule data differs from the stored data and automatically generating a call processing control record if the schedule data differs from the stored data are: column 34, lines 42-54; column 36, lines 39-52; and figure 69. As a threshold matter, these portions of Suda et al. refer to a computer system that attempts to determine whether there is a scheduling conflict in a user's schedule. These portions have nothing to do with transmitting messages to a caller based upon a user's schedule. Thus, the relevancy of this disclosure to the pending claims is questionable, as is the Examiner's suggestion that these teachings of Suda et al. could be combined with those of Klein.

Putting aside those issues, the portions of Suda et al. cited by the Examiner do not disclose comparing schedule data with stored data to determine if the schedule data differs from the stored data and automatically generating a call processing control record if the schedule data does differ from the stored data, as the Examiner has asserted. First, while these sections do disclose comparing two sets of data, they do not disclose comparing these sets of data to determine whether the data differs. To the contrary, because these sections disclose comparing data to determine whether a scheduling conflict exists, it appears that the data is being compared to see if it is the same, i.e. is the user scheduled to be in two places at the same time. Second, as noted above, these portions do not include any disclosure about transmitting messages to a caller based upon a user's schedule. Accordingly, they do not disclose automatically generating a call processing control record if schedule data differs from stored data, as recited in the

4

pending claims. For these reasons, as well, all of the pending claims are patentable over the proposed combinations.

With respect to Claims 4 and 6, the Examiner asserts that column 3, lines 7-18 of Klein expressly discloses transmitting data: (i) via the Internet; and (ii) utilizing X.25 protocol. This portion of Klein discloses neither of these features, and these claims are patentable over the proposed combination for these reasons as well.

With respect to Claims 9 and 20, the Examiner asserts that column 2, lines 2-13, column 4, lines 45-49, and figure 5 expressly disclose using a service node to perform tasks, such as transmits an announcement to a calling party. None of these portions describe or even mention a service node. Accordingly, these claims are patentable over the proposed combination for these reasons as well.

In view of the above remarks, Applicants submit that this case is in condition for allowance. If the Examiner feels that a telephone interview would be helpful in resolving any remaining issues, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

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